



2 CCE 3727

**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 USC §132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.

See The American inventors Protection Act of 1999 (AIPA).

|                        |                |
|------------------------|----------------|
| Application Number     | 09/843,348     |
| Filing Date            | April 26, 2001 |
| First Named Inventor   | Martin ESSING  |
| Group Art Unit         | 3727 ✓         |
| Examiner Name          | Castellano, S. |
| Attorney Docket Number | 5029-39RCE2    |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000 applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (April 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on. (Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- iii. ☐ Other
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other

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2. **Miscellaneous**

- a. ☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months. (Period of suspension shall not exceed three months; Fee under 37 C.F.R. § 1.17(l) required)
- b. ☐ Other

3. **Fees**

The RCE fee under 37 C.F.R. 1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No.: 03-2412.
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☒ Extension of time fee (37C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Small Entity Status is being claimed for this application.
- vi. ☐ Other
- b. ☒ Check in the amount of \$770.00 enclosed.
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

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**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

|                   |                   |                                   |               |
|-------------------|-------------------|-----------------------------------|---------------|
| Name (Print/Type) | Thomas C. Pontani | Registration No. (Attorney/Agent) | 29,763        |
| Signature         |                   | Date                              | March 1, 2004 |

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Mail Stop RCE, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on: March 1, 2004

|                   |                   |      |               |
|-------------------|-------------------|------|---------------|
| Name (Print/Type) | Thomas C. Pontani | Date | March 1, 2004 |
| Signature         |                   |      |               |



Attorney Docket No.: 5029-39RCE2

## FILING FEE COMPUTATION SHEET

*Submit an original and a duplicate for fee processing*

Dated: March 1, 2004

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In re RCE Application of: **Martin ESSING**  
For: **Ventilation Device for a Fuel Tank**  
Parent Serial No.: **09/843,348**

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The filing fee has been calculated as shown below:

| FOR:   | Col. 1          | Col. 2   | SMALL ENTITY | OTHER THAN<br>SMALL ENTITY |
|--|-----------------|----------|--------------|----------------------------|
|  | # FILED         | # EXTRA  |              |                            |
| BASIC FEE  |                 |          | \$385        | \$770                      |
| TOTAL CLAIMS   | <u>5</u> - 20 = | <u>0</u> | x 9 = \$     | x 18 = \$                  |
| INDEPENDENT<br>CLAIMS  | <u>1</u> - 3 =  | <u>0</u> | x 43 = \$    | x 86 = \$                  |
| <input type="checkbox"/> MULTIPLE<br>DEPENDENCY                            |                 |          | +\$145 = \$  | +290 \$                    |
| * If the difference in<br>Col. 1 is less than zero,<br>enter "0" in Col. 2 |                 |          | TOTAL: \$    | \$770                      |



Attorney Docket # 5029-39RCE2

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re RCE Application of

Martin ESSING

Parent Serial No.: 09/843,348

Parent Filed: April 26, 2001

For: Ventilation Device for a Fuel Tank

Check box if applicable:

☐ DUPLICATE

GENERAL AUTHORIZATION FOR PAYMENT OF FEES  
AND PETITIONS FOR EXTENSIONS OF TIME

*Submit an original and a duplicate for fee processing*

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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Sir:

The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 03-2412

- [X] Any filing fees required under 37 CFR §1.16.
- [X] Any patent application processing fees under 37 CFR §1.17 not otherwise paid by check.
- [X] The issue fee set in 37 CFR 1.18 at 3 months from mailing of the Notice of Allowance, pursuant to 37 CFR 1.311 (b) provided the fee has not already been paid by check.
- [X] Any filing fees under 37 CFR 1.16 for presentation of extra claims.

Respectfully submitted,  
COHEN, PONTANI, LIEBERMAN & PAVANE

By

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Dated: March 1, 2004